

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Letters Patent of:  
Joongseo Park

Patent No.: 7,547,909

Issued: June 16, 2009

For: III-NITRIDE COMPOUND  
SEMICONDUCTOR LIGHT EMITTING  
DEVICE

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**REQUEST FOR CERTIFICATE OF CORRECTION  
PURSUANT TO 37 CFR 1.322**

Attention: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

Upon reviewing the above-identified patent, Patentee noted a typographical error which should be corrected.

The International filing date and the National Stage completion date is incorrectly listed. The Examiner's attention is drawn to the attached Decision on Petition under 37 CFR 1.181, which granted the correction of the International filing date and the completion date of all 35 U.S.C. 371 requirements of 05 August 2006.

Patentee also noted that the title of the subject application is incorrect. For the convenience of the Examiner, Patentee encloses a copy of the Declaration as filed, as well as the Filing Receipt, evidencing the correct title.

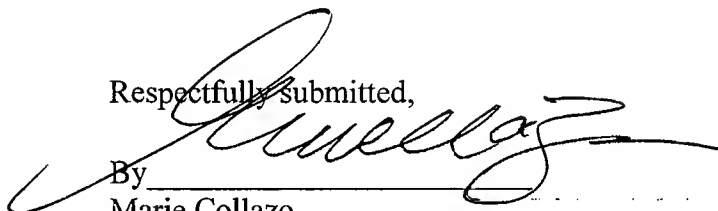
ERRONEOUS INFORMATION	CORRECT INFORMATION
III-NITRIDE COMPOUND ICE SEMICONDUCTOR LIGHT EMITTING DEV	III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE

Transmitted herewith is a proposed Certificate of Correction effecting such corrections. Patentee respectfully solicits the granting of the requested Certificate of Correction.

----- The errors were not in the application as filed by applicant; accordingly no fee is -----  
required.

Dated: August 6, 2009

Respectfully submitted,



By

Marie Collazo

Registration No.: 44,085

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**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,547,909  
APPLICATION NO. : 10/597,607  
ISSUE DATE : June 16, 2009  
INVENTOR(S) : Joongseo Park

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

**In the Front Cover:**

**Item (54)**

**Please delete “III\_NITRIDE COMPOUND ICE SEMICONDUCTOR LIGHT EMITTING DEV” and insert –III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE–**

**Item (22)**

**Please delete “March 5, 2005” and insert –February 5, 2005–**

**Item (86)**

**For the filing or ‘371c’ date, delete “August 1, 2006” and insert –August 3, 2006–**

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Marie Collazo  
DARBY & DARBY P.C.  
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New York, New York 10008-0770



UNITED STATES PATENT AND TRADEMARK OFFICE

22 MAY 2009

Commissioner for Patents  
United States Patent and Trademark Office  
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Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

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New York NY 10008-0770

In re Application of	:	
PARK	:	
PCT No.: PCT/KR05/00360	:	DECISION ON PETITION
Application No.: 10/597,607	:	
Int. Filing Date: 05 February 2005	:	UNDER 37 CFR 1.181
Priority Date: 05 February 2004	:	
Atty. Docket No.: 20506/0205263-US0	:	
For: III-NITRIDE COMPOUND SEMICONDUCTOR	:	
LIGHT EMITTING DEVICE	:	

This is a decision on applicant's "PETITION UNDER 37 C.F.R. 1.182" filed on 12 May 2009 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181. No petition fee is due.

### **BACKGROUND**

On 05 February 2005, applicant filed international application PCT/KR05/00360 which claimed priority to an earlier application filed 04 February 2004. A copy of the International Application was forwarded to the United States Patent and Trademark Office (USPTO) from the International Bureau (IB) on 18 August 2005. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 05 August 2006.

On 01 August 2006, applicant filed a transmittal letter for entry into the U.S. National stage which included payment of the U.S. basic national fee.

On 03 August 2006, applicant filed a second transmittal letter for entry into the U.S. National stage accompanied by an executed declaration of the inventor and payment of all remaining fees. Applicant did not include an express request to begin national examination procedures.

On 25 March 2008, applicant was mailed a "Notification of Acceptance" (Form PCT/DO/EO/903) indicating a date of receipt of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) requirements of 01 August 2006 and a completion date of all 35 U.S.C. 371 requirements of 05 August 2006. The accompanying official filing receipt listed the filing or 371(c) date as 01 August 2006 and the international filing date of international application PCT/KR05/00360 as 05 March 2005.

On 20 February 2009, applicant was mailed a corrected official filing receipt which corrected the international filing date of PCT/KR05/00360 to 05 February 2009.

On 12 May 2009, applicant filed the present petition for a corrected filing receipt and Form PCT/DO/EO/903 seeking a 371 filing date of 03 August 2006 and correcting of the international filing date.

### DISCUSSION

As noted above, the international filing date for the underlying international application has been corrected to 05 February 2005 as reflected in the corrected official filing receipt mailed 20 February 2009. As to the 371 (c) date, the best evidence of what was actually received by the Office is a postcard receipt containing a specific itemization of all the items being submitted. See MPEP 503. Here, applicant has provided a copy of the electronic filing receipt from the filing of 03 August 2006 showing the filing of the executed declaration, the last of the 35 U.S.C. 371 requirements, on that date.

### CONCLUSION

Applicant's petition under 37 CFR 1.181 is GRANTED.

The application has an international filing date of 05 February 2005 under 35 U.S.C. 363 and will be given a date of **03 August 2006** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

The "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) mailed 25 March 2008 is hereby VACATED.

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely the issuance of a "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) and a corrected filing receipt indicating the correct 371 date as detailed above.



Derek A. Putonen  
Attorney Advisor  
Office of PCT Legal Administration  
Tel: (571) 272-3294  
Fax: (571) 273-0459

PTO/SB/110 (05-85)

Approved for use through 10/31/02. OMB 0851-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Declaration and Power of Attorney for Patent Application****특허 출원 관련 선언 및 위임권****Korean Language Declaration**

아래 지명된 발명가로서, 본인은 하기 사항을 선언합니다.

As a below named inventor, I hereby declare that:

본인의 거주지, 우송 주소 및 국적은 본문의 상단 여백에 기재된 것과 동일합니다.

My residence, post office address, and citizenship are as stated next to my name.

본인은 하기 명시된 발명에 대한 유일한 발명가인 주체의 최초 발명 단독 발명가이거나 (여기에 한 이름만이 기재된 경우) 또는 최초 발명 공동 발명가임을 (여기에 여러 이름이 기재된 경우) 확인합니다.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT  
EMITTING DEVICEIII-NITRIDE COMPOUND SEMICONDUCTOR LIGHT  
EMITTING DEVICE

다음 내에 제37칙 제1.56항에 따른 발명의 상세서가 여기에 첨부됩니다.

the specification of which is attached hereto unless the following box is checked:

☐ 미합중국 출원번호 또는 PCT 국제 출원번호는

PCT/KR2005/000360 로

5 February 2005

일 때 출원되었고

일 때 개정되었습니다

(해당 경우).

☐ was filed on 5 February 2005

as United States Application Number or PCT

International Application Number

PCT/KR2005/000360

and was amended on

(if applicable).

본인은 상기 기재에 의해 수정된 상기 명세서는 높은 주위 상의 내용을  
정확했으며 이해했음을 확인합니다.I hereby state that I have reviewed and understand the  
contents of the above identified specification, including the  
claims, as amended by any amendment referred to above.본인은 연방 규정 코드인 제37칙의 제1.56항에 의거하여 주위 상의  
관련 정보에 공개할 의무를 인정합니다.I acknowledge the duty to disclose information which is  
material to patentability as defined in Title 37, Code of  
Federal Regulations, Section 1.56.

PTO/SB/110 (05-95)

Approved for use through 10/31/02. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## Korean Language Declaration

본인은 외국인 특허 출원(들)이나 발명자의 증명서 관련 경우에는 대한민국 코드인 제35장의 제7.9(a)-(d)항이나 제365(b)항에 의거하여 또는 미합중국 이외에 적어도 한 국가를 지정하는 PCT 국제 출원의 경우에는 제365(a)항에 의거하여 하기 명시된 특허 출원의 외국 우선권을 주장하며, 외국인 특허 출원, 발명자 증명서 또는 우선권이 주장되는 출원일 이전에 제출된 PCT 국제 출원도 또한 하기에 해당함을 체크함으로써 확인하였습니다.

I hereby claim foreign priority under Title 35, United States Code Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Priority Not Claimed

우선권 주장 있음

10-2004-0007541  
(Number)  
(번호)

REPUBLIC OF KOREA  
(Country)  
(국가)

5 February 2004  
(Day/Month/Year Filed)  
(출원일자 월/일/년)

☐

(Number)  
(번호)

(Country)  
(국가)

(Day/Month/Year Filed)  
(출원일자 월/일/년)

☐

본인은 미합중국 코드인 제35장 제119항(e)에 명시된 바와 같이 하기 미합중국 가출원에 관련된 출원을 요구합니다.

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(출원 번호)

(Filing Date)  
(출원일자)

(Application No.)  
(출원 번호)

(Filing Date)  
(출원일자)

본인은 미합중국 코드인 제35장의 미국 출원(들) 전면 제120항에 명시된 바와 같이 또는 미합중국을 지정하는 PCT 국제 출원 관련 제365(c)항에 명시된 바와 같이 하기 출원의 출원을 요구합니다. 이 출원서에 있는 각 특허 청구의 내용은 미합중국 코드인 제35장 제112항의 첫번째 절에서 명시된 바와 같이 출원의 미국 또는 PCT 국제 출원에 발표되지 않았으면 본인은 연방 규정 코드인 제37장 제1.56항에 명시된 바와 같이 출원 출원일자와 이 출원서의 국내 또는 PCT 국제 출원일자 사이에 특허 자기에 대한 자료 정보를 공개할 의무를 인정합니다.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.)  
(출원 번호)

(Filing Date)  
(출원일자)

(Status) (patented, pending, abandoned)  
(현황) (특허 획득, 출원중, 포기)

(Application No.)  
(출원 번호)

(Filing Date)  
(출원일자)

(Status) (patented, pending, abandoned)  
(현황) (특허 획득, 출원중, 포기)

본인은 어느 한도 내에서 여기에 제공된 모든 내용에 사실이고, 제공된 정보나 소인이 모두 사실임을 확인하며, 허위자가 미합중국 코드인 제18장의 제1001절에 명시된 바와 같이 그외의 허위 진술 및 이와 유사한 행위는 법규에나 주적으로 처벌 받거나 벌금과 감옥형을 모두 받을 수 있고 미연고 그외의 허위 진술은 특허 출원이나 후에 발급된 특허의 무효성을 위태롭게 함을 인지하면서 여기에 진술함을 선언합니다.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PTO/SB/110 (05-95)

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## Korean Language Declaration

관: 지명된 발명자로서 본인은 이 특허를 승인하고 이와 관련하여  
및 상표권이 요구되는 업무를 처리하기 위하여 하기 변호사(들)  
는 대리인(들)을 임명합니다. (성명 및 등록번호 기입)

POWER OF ATTORNEY: As a named inventor, I hereby  
appoint the following attorney(s) and/or agent(s) to prosecute  
this application and transact all business in the Patent and  
Trademark Office connected therewith: (list name and  
registration number).

Practitioners associated with Customer Number :  
07278

## 서신 수신자

Address associated with Customer Number  
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DARBY &amp; DARBY P.C.

P.O. Box 5257

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직통 전화 수신자 성명 및 전화번호

Peter C. Schechter, (212)527-7723

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New York, New York 10150-5257

Direct Telephone Calls to: (name and telephone number)

Peter C. Schechter, (212)527-7723

단독 또는 첫번째 발명자의 성명 Joongseo PARK	Full name of sole or first inventor Joongseo PARK
발명자의 서명 <i>Joongseo Park</i>	Inventor's signature Date 2006-7-25 <i>Joongseo Park</i>
거주지 Kyunggi-do, Republic of Korea	Residence Kyunggi-do, Republic of Korea
국적 Republic of Korea	Citizenship Republic of Korea
우송 주소 606-103, Samsung Raemian 6-cha Apt., 1167, Bojeong-ri, Kuseong-eup, Yougin-si, Kyunggi-do 449-564 Republic of Korea	Post Office Address 606-103, Samsung Raemian 6-cha Apt., 1167, Bojeong-ri, Kuseong-eup, Yougin-si, Kyunggi-do 449-564 Republic of Korea

한약 코드된 두번째 공동 발명자의 이름	Full name of second joint inventor, if any
두번째 발명자의 서명	Second inventor's signature Date
거주지	Residence
국적	Citizenship
우송 주소	Post Office Address

(세번째 그리고 이후의 공동 발명자들에 대한 유사한 정보와  
그들의 서명을 제공하십시오.)

(Supply similar information and signature for third and  
subsequent joint inventors.)





## UNITED STATES PATENT AND TRADEMARK OFFICE

21302/0205263-USO  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	TOT CLAIMS	IND CLAIMS
10/597,607	08/01/2006		900	20506/0205263-USO	4	1

CONFIRMATION NO. 3725

## FILING RECEIPT



\*CC00000028991283

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New York, NY 10008-0770

Date Mailed: 03/25/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

## Applicant(s)

Joongseo Park, Kyunggi-do, KOREA, REPUBLIC OF;

## Assignment For Published Patent Application

EPIVALLEY CO., LTD, Gyunggi-Do, KOREA, REPUBLIC OF

Power of Attorney: The patent practitioners associated with Customer Number 07278

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/KR05/00360 03/05/2005

## Foreign Applications

REPUBLIC OF KOREA 10-2004-0007541 02/05/2004

If Required, Foreign Filing License Granted: 03/20/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention,  
is **US 10/597,607**

Projected Publication Date: 06/26/2008

Non-Publication Request: No

Early Publication Request: No

Computer [Signature]  
D&D Entry [Signature]  
Looseleaf [Signature]  
Folder [Signature]  
Card \_\_\_\_\_  
Letter \_\_\_\_\_  
Foreign Filing \_\_\_\_\_

**Title**

III-Nitride Compound Semiconductor Light Emitting Device

**Preliminary Class****PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce Initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier

license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).